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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,308	02/20/2004	Steven Allen Benno	2100.025500/BENNO	7814
46290	7590	05/16/2006	5-2-1-1	
WILLIAMS, MORGAN & AMERSON 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			EXAMINER SING, SIMON P	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/783,308	BENNO ET AL.	
	Examiner	Art Unit	
	Simon Sing	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-19 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-19 and 21-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 11 and 12 are objected to because of the following informalities: the “multimedia content to be received over second data session” is confusing since the first data session is for retrieving multimedia content as claimed in claim 9, and the second data session is for receiving URL as claimed in claim 10. It is logical that the “second data session” in claims 11 and 12 should be the “first data session” which retrieves the multimedia content.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2, 13 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claimed limitation or “bridging an initiation signal from a caller with an established voice link” is not supported by the Specification. As known in the art, bridging is to connect two or more signal paths (or network segments) together so that signals (including packets) can be transmitted between these paths. Since an initiation signal from a caller is not a signal path (or network element), it is confusing to the

examiner HOW to bridge this signal with an established voice link, and WHAT is the purpose for bridging an initiation signal into a voice link.

In the Remark submitted on 2/27/2006, the Applicant states: "thus bridging the service control point/service node 330 may initiated a voice call to calling-to-party 370", and pointed to page 12, lines 17-22 for support. However, examiner cannot find any support for this limitation in lines 17-22 such states: "Subsequently, service control point/service node 330 may initiated a voice call to calling-to party 370. After the voice call to call-to-party 370 is established from service control point/service node 330, service control point/service node 330 may transmit a termination message calling-from-party to terminate the SIP session in which the video clon may be transmitted". Applicant also pointed to page 12, lines 22-25, and again, not support is found, as lines 22-25 describes bridging two voice call legs together, not a call signal and a voice link.

Applicant further pointed to page 10, lines 23-27, and starting from line 25: "the service control point/service node may thereafter bridge the initiation signal and the intermediated voice link (step 270). Consequently, a voice call between the calling-form-party and the calling-to party... may be established and completed". Here the Applicant discloses just a statement (same as in the claims) of bridging, but not HOW to bridge an initiation signal and a voice link (i.e. connecting an initiation signal to a voice path), and WHAT is the purpose for bridging an initiation signal into a voice link.

In the following Office Action, examiner interprets the "bridging the initiation signal from the caller with the established voice link" as for bridging a voice link between a caller

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and a communication system and a voice link between the communication system and a called party.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6, 7, 9-13, 15-19, 21, 22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Lund US 6,658,100.

3.1 Lund discloses a method for sending a uniform resource locator (URL) to a calling party, comprising:

transmitting the URL to the calling party in response to an initiation signal from the calling party (column 3, lines 30-45);

determining if the called party is a service subscriber (column 3, lines 22-25, 43-45; column 4, lines 15-32); and

establishing a voice link to a called party in response to the initiation signal from the calling party (see claim 6 of Lund).

3.2 Regarding claim 2, Lund teaches bridging the calling party with the called party to establish a voice link as discussed in claim 1 (it is inherent that the tandem switches 30 and 32 in figure 2 bridge the calling party (at SSP 24) and the called party (SSP 26) to establish a voice link).

3.3 Regarding claim 3, Lund teaches that the URL identifies a location of multimedia content (a web page inherently contains graphics and text) (column 3, lines 46-49).

3.4 Regarding claim 4, Lund teaches establishing a first data session for downloading the multimedia content (column 3, lines 46-49).

3.5 Regarding claim 6, Lund teaches looking up the called party in a database 44 of service subscribers (column 3, lines 34-38, 41-45).

3.6 Regarding claim 7, Lund teaches selecting a called party's URL in the database when the calling part is determined to a service subscriber (column 3, lines 41-45).

3.7 Regarding claim 9, Lund discloses a method for sending a uniform resource locator (URL) to a calling party, comprising:

receiving a uniform resource locator (URL) associated with the called party in response to an initiation signal from the calling party (column 3, lines 30-45);

enabling the calling party to determine whether the called party is a service subscriber (it is inherent that a calling party determines whether a called party has telephone number, i.e. a subscriber to a telephony service) (examiner note: this newly added limitation is not supported by the Specification which only discloses a system (not the caller) which determines whether the called party is service subscriber, see page 9, lines 9-13 of the Specification); and

establishing a first data session in response to the received URL (column 3, lines 46-49).

3.8 Regarding claim 10, Lund teaches establishing a second data session for receiving the URL (column 3, lines 41-45).

3.9 Regarding claim 11, Lund teaches receiving a web page (multimedia content), which inherently including graphical displays and text messages, via the first data session (column 3, lines 46-49).

3.10 Regarding claim 12, Lund teaches that the called party is subscriber (column 3, lines 22-25, 43-45; column 4, lines 15-32).

3.11 Regarding claim 13, Lune teaches connecting the calling party with the called party, which inherently bridging the calling party (at SSP 24) and the called party (at SSP 26) by the tandem switches 30 and 32 in figure 2.

3.12 Regarding claim 15, Lund discloses a method for sending a web page (multimedia content) to a calling party, comprising:

- selecting a multimedia content (from a URL) associated with a called party to be forwarded to the calling party in response to identifying the calling party (column 3, lines 30-49);

- determining if the called party is a service subscriber (column 3, lines 22-25, 43-45; column 4, lines 15-32); and

- establishing a voice link from the calling party to the called party in response to the identifying the called party (see claim 6 of Lund).

3.13 Regarding claim 16, Lund teaches that the called party is a service subscriber (column 3, lines 22-25, 43-45; column 4, lines 15-32).

3.14 Regarding claim 17, Lund discloses a method for sending a web page to a calling party, comprising:

- receiving an initiation signal from the calling party identifying a called party (column 3, lines 30-40);

transmitting multimedia content (web page) to the calling party, the multimedia content selected (from a URL) in response to the identifying of the called party (column 3, lines 41-49);

determining if the called party is a service subscriber (column 3, lines 22-25, 43-45; column 4, lines 15-32); and

establishing a voice link to the called party in response to the initiation signal from the calling party (see claim 6 of Lund).

3.15 Regarding claim 18, it is inherent that the calling party and the called party are bridged together by the tandem switches 30 and 32 in figure 2 in order to establish a voice link (column 6, lines 13-15).

3.16 Regarding claim 19, Lund teaches transmitting a URL to the calling party, and establishing a first data session for the transmission of the multimedia content to the calling party (column 3, lines 41-49).

3.17 Regarding claim 21, Lund teaches looking up the called party in a database 44 of service subscribers (column 3, lines 22-25, 43-45; column 4, lines 15-32).

3.18 Regarding claim 22, Lund teaches selecting a called party's URL in the database (column 3, lines 41-45).

3.19 Regarding claim 24, Lund discloses a method for sending a web page to a calling party, comprising:

receiving an initiation signal from the calling party identifying a called party (column 3, lines 30-40);

transmitting a uniform resource locator (URL) to the calling party, the URL selected in response to the identifying the called party (column 3, lines 41-45);

transmitting multimedia content (web page) to the calling party in response to URL (column 3, lines 46-49);

determining if the called party is a service subscriber (column 3, lines 22-25, 43-45; column 4, lines 15-32);

establishing a voice link to the called party in response to the initiation signal from the calling party (column 6, claim 6); and

bridging (inherently by the tandem switches 30 and 32 in figure 2) the calling party and the called party (column 6, claim 6).

4. Claims 1-4, 6, 7, 9-13, 15-19, 21, 22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Morton US 6,480,484.

4.1 Regarding claim 1, Morton discloses a method for sending a greeting web page to a calling party, comprising:

transmitting a uniform resource locator (URL) to the calling party in response to an initiation signal from the calling party (column 5, lines 7-13, 26-37);

determining if the called party is a service subscriber (column 5, lines 26-35); and
establishing a voice link to a called party in response to the initiation signal from
the calling party (column 5, lines 63-65).

4.2 Regarding claim 2, Morton teaches bridging the calling party with the called party
to establish a voice link as discussed in claim 1 (it is inherent that the telephone system
100 in figure 1 bridges the calling party and the called party to establish a voice link).

4.3 Regarding claim 3, Morton teaches that the URL identifies a location for
multimedia content (greeting web page containing graphics and text) (column 4, lines
64-67; column 5, lines 1-6, 33-37).

4.4 Regarding claim 4, Morton teaches establishing a first data session for
downloading the multimedia content (column 5, lines 38-60).

4.5 Regarding claim 6, Morton teaches looking up the called party in a database
(directory server 304) of service subscribers (column 5, lines 26-35).

4.6 Regarding claim 7, Morton teaches selecting a called party's URL in the
database (column 5, lines 26-35).

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4.7 Regarding claim 9, Morton discloses a method for sending a greeting web page to a calling party, comprising:

receiving a uniform resource locator (URL) associated with the called party in response to an initiation signal from the calling party (column 5, lines 7-13, 26-35);

enabling the calling party to determine whether the called party is a service subscriber (it is inherent that a calling party determines whether a called party has telephone number, i.e. a subscriber to a telephony service) (examiner note: this newly added limitation is not supported by the Specification which only discloses a system (not the caller) which determines whether the called party is service subscriber, see page 9, lines 9-13 of the Specification); and

establishing a first data session in response to the received URL (column 5, lines 38-55).

4.8 Regarding claim 10, Morton teaches establishing a second data session for receiving the URL (column 5, lines 35-37).

4.9 Regarding claim 11, Morton teaches receiving a greeting web page (multimedia content), which inherently including graphical displays and text messages, via the first data session (column 4, lines 64-67; column 5, lines 1-6, 38-55).

4.10 Regarding claim 12, Morton teaches that the called party is subscriber (column 5, lines 26-35).

4.11 Regarding claim 13, Morton teaches connecting the calling party with the called party, which is inherently bridging the calling party and the called party by the telephone system 100 (figure 1).

4.12 Regarding claim 15, Morton discloses a method for sending a greeting web page (multimedia content) to a calling party, comprising:

- selecting a multimedia content (from a URL) associated with a called party to be forwarded to the calling party in response to identifying the calling party (column 5, lines 7-13, 26-55);

- determining if the called party is a service subscriber (column 5, lines 26-35); and
- establishing a voice link from the calling party to the called party in response to the identifying the called party (column 5, lines 63-65).

4.13 Regarding claim 16, Morton teaches that the called party is a service subscriber (column 5, lines 26-35).

4.14 Regarding claim 17, Morton discloses a method for sending a greeting web page to a calling party, comprising:

- receiving an initiation signal from the calling party identifying a called party (column 5, lines 7-17);

transmitting multimedia content (greeting web page) to the calling party, the multimedia content selected (from a URL) in response to the identifying of the called party (column 5, lines 26-55);

determining if the called party is a service subscriber (column 5, lines 26-35); and establishing a voice link to the called party in response to the initiation signal from the calling party (column 5, lines 63-65).

4.15 Regarding claim 18, it is inherent that the calling party and the called party are bridged together by the telephone system 100 in order to establish a voice link.

4.16 Regarding claim 19, Morton teaches transmitting a URL to the calling party, and establishing a first data session for the transmission of the multimedia content (column 5, lines 26-55).

4.17 Regarding claim 21, Morton teaches looking up the called party in a database (directory server 304) of service subscribers (column 5, lines 26-35).

4.18 Regarding claim 22, Morton teaches selecting a called party's URL in the database (column 5, lines 26-35).

4.21 Regarding claim 24, Morton discloses a method for sending a greeting web page to a calling party, comprising:

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receiving an initiation signal from the calling party identifying a called party
(column 5, lines 7-17);

transmitting a uniform resource locator (URL) to the calling party, the URL
selected in response to the identifying the called party (column 5, lines 26-37);

transmitting multimedia content (greeting web page) to the calling party in
response to URL (column 5, lines 38-55);

establishing a voice link to the called party in response to the initiation signal
from the calling party (column 5, lines 63-65);

determining if the called party is a service subscriber (column 5, lines 26-35);
and

bridging (inherently by the telephone system 100 in figure 1) the calling party and
the called party (column 5, lines 63-65).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8, 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Lund US 6,658,100.

Lund teaches transmitting a URL to the calling party (second data session) for
retrieving a web page (first data session) by the calling party, but fails to teach

terminating the first and second data session before establishing a voice link between the calling and the called parties.

It is obvious that a calling party has choices for terminating data sessions, such as terminating the second data session (receiving a URL) before terminating the first data session (receiving a web page), since the URL is received prior accessing a web page, and terminating the first data session (web page) when the voice link is established.

Response to Arguments

6. Applicant's arguments filed on 02/27/2006 regarding claims 11 and 12 (claim objection) have been fully considered but they are not persuasive.

In the specification, a first data link (session) is for receiving a URL (figure 2, step 23) and a second data link is for receiving multimedia content specified by the URL (figure 2, step 240). However, in claims 9 and 10, the roles of first data link and second data link are reversed (with respect to the Specification), but claim 11 and 12 fails to follow the leads of claims 9 and 10.

7. Applicant argues that the cited prior arts fail to teach or suggest determining whether the called party is a subscriber of a service. As stated in this office action, the systems of cited prior arts look up a database to determine which URL associated with a called party and transmitting the URL to a calling party. It is inherent that a called

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party must be an active subscriber of a service in order to transmit the URL to a calling party.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

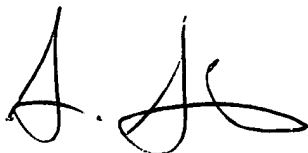
US 2003/0064715 (Sugane) discloses a method for simultaneous data and voice transmission, in that URL is transmitted to a called party in an email when making a call (Abstract).

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

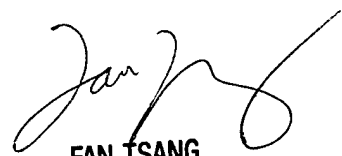
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10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

05/04/2006



FAN TSANG
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